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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/811,648 03/05/97 KIKINIS

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EXAMINER

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VALIGHN JR, W

ART UNIT PAPER NUMBER

5

2756

DATE MAILED:

06/29/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

Application No. <b>08/811,648</b>	Applicant <b>Dan Kikinis</b>
Examiner <b>William. C. Vaughn, Jr.</b>	Group Art Unit <b>2756</b>

Responsive to communication(s) filed on May 12, 1999.

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 1-4 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-4 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments and amendments filed on 19 January 1999 have been carefully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained herebelow, necessitated by Applicant's substantial amendment to the claims which significantly affected the scope thereof.
2. The application has been examined. **Original claims 1-4** are pending. The objections and rejections cited are as stated below:

### ***Title***

3. The new title of the invention is accepted.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. **Claims 1-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Corley et al. (Corley), U.S. Patent No. 5,838,683 in view of Worsley et al. (Worsley), U.S. Patent No. 5,594,734.

6. Regarding **claim 1**, Corley discloses the invention substantially as claimed. Corley discloses *a multimedia data distribution system, comprising a distribution system adapted to distribute and deliver public protocol signals to the level of an individual home network bus* (Corley teaches an interactive multimedia system that employs a central and peripheral hubs that function to provide services to a plurality of clients of a call manager server), [Abstract], *and a micro-PBX connected to the distribution system and to the tree-type wiring home network bus* (Corley teaches that existing private branch exchange (PBX) and LAN topologies are based upon client-server architecture and isochronous networks. He later states that the ISOBridge hub (180) is typically used in work-at-home applications wherein an end station is communicating via a fax/modem or ISDN BRI interface through an Isochronous WAN into a packet-based Ethernet and it is also well known in the art that within a PBX system at normally connects between twenty or more station sets to one another, within a public network), [Fig. 1, item 180, Col. 2, lines 39-42, Col. 8, lines 1-65, Col. 9, lines 12-42 and Col. 21, lines 7-16] and *wherein the micro-PBX is adapted to translate between the public network protocol and a Local Area Network (LAN) protocol on the home network bus, and to manage the home network bus as a carrier of multiple access points type bus* (Corley teaches that the signaling for circuit and cell switching is best defined by the ISDN signaling standards which include the Carrier Sense Multiple Access with

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Collision Detection. He also teaches a message translator section (250) that provides the interface between the protocols foreign to the multimedia manager and the multimedia manager internal protocol), [Col. 23, lines 14-39] and a non-isochronous type bus [Col. 23, lines 51-56]. However, he does not explicitly state a converter connected to an outlet. Accordingly, one having ordinary skill in the art at the time the invention was made could have utilized the ISOBridge Hub as a means for converting the home network bus to be adapted for the different signals coming in and out. Since Corley suggests that the ISOBridge performs the conversion of data and IDLC data to and from Ethernet packets (Col. 21, lines 12-16) *and the converter is adapted to convert signals on the home network bus to a form required by one of the single media and multimedia electronic devices* (Corley also teaches whereas an ATM interface provides the ATM adaption process to convert between an ATM cell and a non-ATM cell. In addition to the conversion of ATM cell, it would have been obvious to one of ordinary skill in the art to have realized that since the ISOBridge Hub is used in an work-at-home application environment it would have been necessary for the Hub to have been able to convert the signals from the home network bus [Col. 21, lines 12-16 and Col. 24-33]. In addition to the above, Corley does not explicitly disclose the distribution system being connected based upon a tree-type wiring.

7. In the same field of endeavor, Worsley discloses in an analogous art a data communication system. Worsley discloses a *distribution system being connected based upon tree-type wiring* (Worsley discloses a hub circuitry that can be implemented on a PBX adapter card for a home

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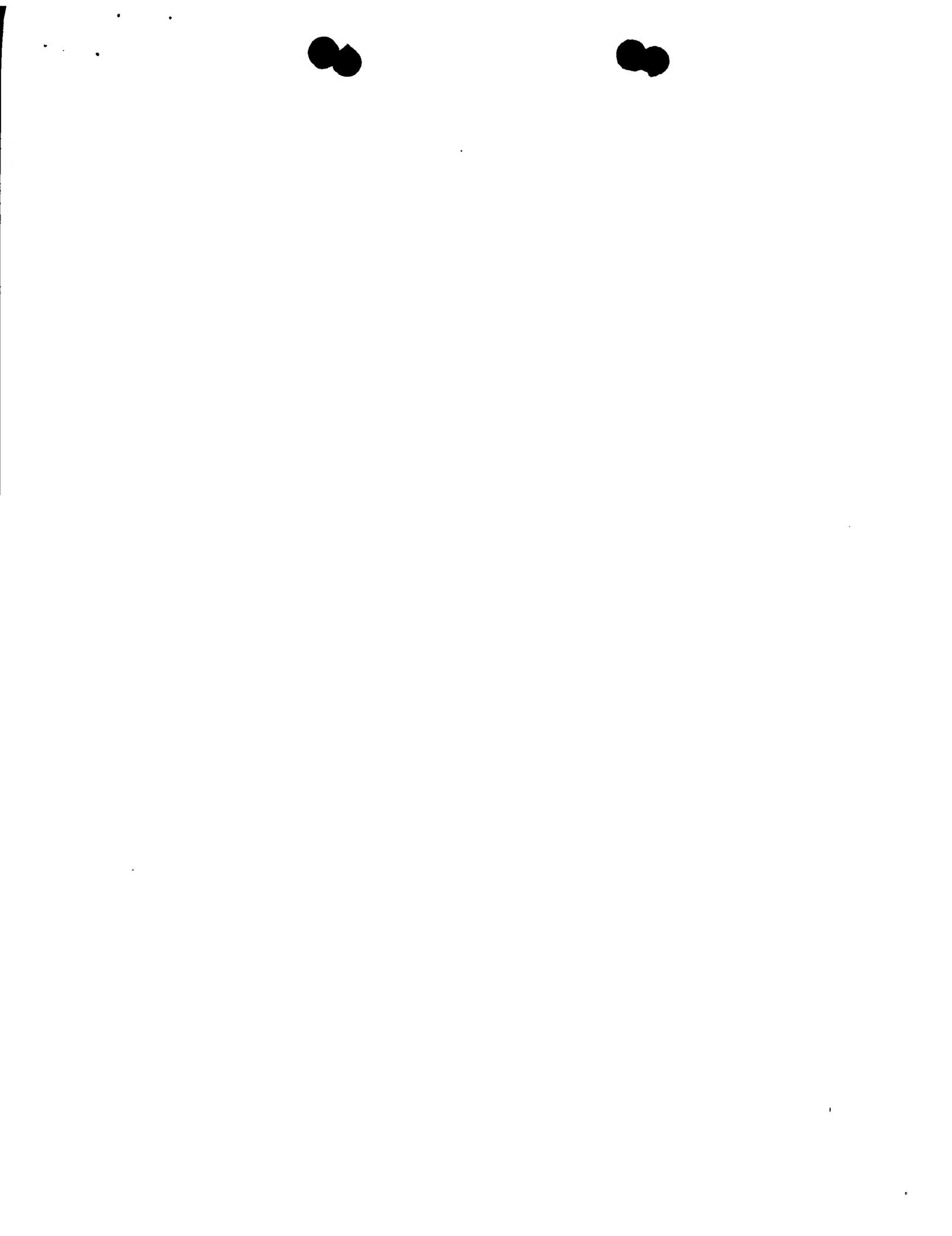
computer as well as being connected in a star-topology system that can interconnect several hubs. Worsley also teaches the system conveys both isochronous data and non-isochronous data), [Col. 4, lines 1-67, Col. 5, lines 1-54, Col. 9, lines 41-67 and Col. 10, lines 1-11].

8. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Worsley's data communication system with the system of Corley, for the purpose of providing an isochronous data communication system in which there is no inherent decrease in non-isochronous bandwidth as a result of increasing isochronous traffic and vice versa and to also provide a system in which isochronous and non-isochronous sources are interoperable [see **Worsley**, Col. 3, lines 19-40]. By this rationale **claim 1** is rejected.

9. Regarding **claim 2**, Corley-Worsley discloses *the single and multimedia electronic devices include telephones (127), personal computers (125), fax machines (It would have been obvious to one of ordinary skill in the art to have utilized the telephone hub for the purpose of a fax machine), and televisions running through set top boxes* (The suggestion in Corley of a multimedia PC (125) including a video camera (126) would allow for the use of a television as a means for projecting the video camera data). By this rationale **claim 2** is rejected.

10. **Claim 3** is substantially the same as **claim 1** and is thus rejected for reasons similar to those in rejecting **claim 1**.

11. **Claim 4** is substantially the same as **claim 2** and is thus rejected for reasons similar to those in rejecting **claim 2**.



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***Citation of Pertinent Prior Art***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,506,846 Local Loopback of Isochronous Data in a Switching Mechanism

U.S. Patent No. 5,594,734 Asynchronous Processor Access to a Switch Table in a Network with Isochronous Activity

U.S. Patent No. 5,758,105 Method and Apparatus for Bus Arbitration Between Isochronous and Non-Isochronous Devices

U.S. Patent No. 5,878,221 Network for Multimedia Asynchronous Transfer Mode Digital Signal Transmission and Components Thereof

U.S. Patent No. 5,907,544 Hub Controller Architecture and Function for a Multiple Access-Point Wireless Communication Network

***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the

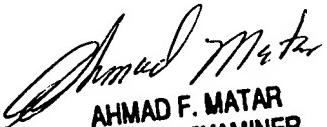
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advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (703) 306-9129. The examiner can normally be reached on Monday through Friday from 8:00 to 4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Asta, can be reached on (703) 305-3817. The fax phone number for this Group is (703) 305-9731. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

WcV  
WCV

June 22, 1999

  
AHMAD F. MATAR  
PRIMARY EXAMINER  
GROUP 270<sup>a</sup>